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BY ECF

August 1, 2012

Honorable Sandra L. Townes
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jonathan Braun
10 CR 433 (SLT)

Dear Judge Townes,

I am an attorney licensed to practice law in the State of New York and am admitted to the bar of this court. I represent Mr. Joseph Streicher, one of the twenty sureties who signed the bond to secure the appearance of the defendant Jonathan Braun in this Court. A bond was executed in this case on Nov. 10, 2011 and Mr. Braun was released upon its execution. **[See attached copy]**

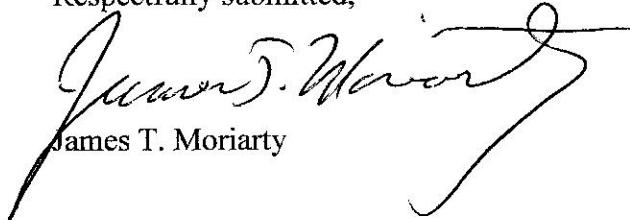
For his part Mr. Streicher pledged a property located at 239 Prospect Place Brooklyn, New York, 11238 to secure the bond. Mr. Streicher would like to re-finance that particular property and accordingly would like to withdraw it as a property securing the bond and to substitute another property which happens to be his personal residence as a substitute property. It is located at 1865 53rd Street Brooklyn New York. 11238. He advises me it has an equity of at least One Million Five Hundred Thousand [\$1,500,000] Dollars.

I have spoken to AUSA Steven Tiscione and have forwarded a copy of a proposed order which I have also attached here for the Court's convenience. He advises me that he has no objection to the substitution of property nor to the format of the proposed Order. **[See attached copy]**

Accordingly I would propose that as per the statements contained in Prgs. 8 and 9 of the proposed order that after proof of the referenced filings the Court issue this Order either

in its present form or changed as per the Court's preference whereupon it will then also be filed with this Court and with the Kings County Clerk's Office in order to release the substituted property as security for the bond.

Respectfully submitted,



James T. Moriarty

AUSA Steven Tiscione

United States District Court
EASTERN DISTRICT OF NEW YORK

FILED

IN CLERK'S OFFICE

U.S. DISTRICT COURT E.D.N.Y. ORDER SETTING CONDITIONS
OF RELEASE AND BOND

UNITED STATES OF AMERICA

V.

★ NOV 10 2011 ★

Case No.: 10 CR 433 (SCT)

Jonathan Braun BROOKLYN OFFICE

Defendant

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released as follows, subject to the Standard Conditions of Bond on the reverse and:

Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
 Upon Unsecured Bond executed by defendant in the amount of \$ _____, or
 Upon Secured Appearance Bond as provided herein.

\$ 8 million

Additional Conditions of Release

Upon finding that release under the standard conditions detailed on the reverse will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, IT IS FURTHER ORDERED that the defendant is subject to the following additional conditions of release:

1. The defendant must remain in and may not leave the following areas without Court permission: EDNY and SDNY

2. The defendant shall avoid all contact and not associate with any of the following persons or entities: 911 Codefendants
except in the presence of counsel.

3. The defendant shall avoid and not go to any of the following locations:

The defendant shall surrender any and all passports to the U.S. Pretrial Services Agency by [REDACTED] and shall not apply for any other passport.

Defendant is placed under the express supervision of the Pretrial Services Agency, subject to the Special Conditions on the reverse, if applicable, and

is subject to random visits by a Pretrial Services officer at defendant's home and/or place of work;

must report to that agency () in person _____ times per _____ and/or () by telephone _____ times per _____

as directed

is subject to home detention with electronic monitoring with the following conditions: GPS Monitoring

home detention except for medical emergencies and court appearances

must undergo [] random drug testing [] evaluation and/or [] treatment for: [] substance abuse [] alcoholism [] mental health problems.

must pay the cost of treatment and/or electronic monitoring by with personal funds and/or insurance.

And
ATTORNEY
VISITS

6. Other Conditions: all sureties will sign and confessions of judgment will be filed prior to the defendant's release

APPEARANCE BOND

The undersigned defendant and sureties jointly and severally acknowledge that we and my/our personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ 8,000,000. The undersigned agree(s) that this obligation is secured with his/her/their interest in the following property ("Collateral") which he/she/they represent is/are free and clear of liens except as otherwise indicated:

cash deposited in the Registry of the Court the sum of \$

premises located at [REDACTED] owned by [REDACTED]

I/we also agree to execute a confession of judgment in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before [REDACTED]

Other Conditions:

1) [REDACTED] Address: [REDACTED]

Surety: Michael Braun

2) [REDACTED] Address: [REDACTED]

Surety: Eugene Schwartz

3) [REDACTED] Address: [REDACTED]

Surety: Robin Wiedoff

56 Joseph Ave S - NY 10314

The Court has advised the defendant of the conditions of release per 18:3142(h)(1) and (h)(2). This bond is conditioned upon the appearance of the defendant and is subject to the Standard Conditions of Bond set forth on the reverse. If the defendant fails to appear as ordered or notified, or any other condition of this bond is not met, this bond shall be due forthwith.

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth on the reverse of this form.

Nov. 10 11

Signature of Defendant

Release of the Defendant is hereby ordered on [REDACTED]

s/Viktor Pohorelsky

Distribution:

White-Original

Canary - Courtroom Deputy

Pink - Pretrial Services

Goldenrod - Defendant

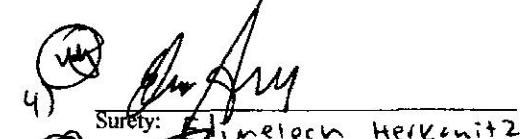
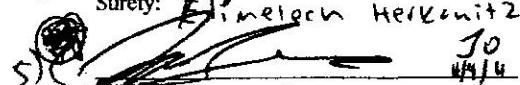
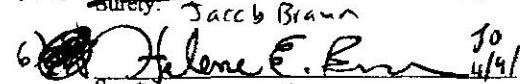
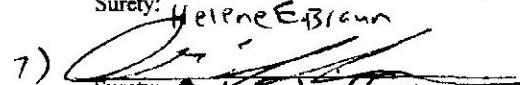
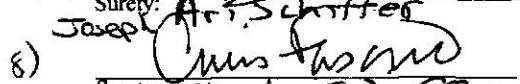
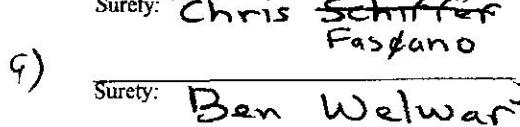
Docket No. 10CR 433 (SLT)

PAGE 2 OF 4

ORDER SETTING CONDITIONS OF RELEASE AND BOND

Defendant: Jonathan Braun Amount of Bond: \$ 8,000,000

Each of the following additional surety or sureties acknowledges and agrees to pay the bond on the first page of this Order Setting Conditions of Release and Bond and, to the extent indicated below, to securing the bond with his/her/their interest in the property or properties described below:

| | Address | Date | Acknowledged Before |
|--|-----------------------------------|---------|--|
| 4)  | 101 Stamford Pl. LAKEWOOD NJ | 11/7/11 | vep USMJ |
| 5)  | 373 Buchanan Ave., Staten Island | 11/4/11 |  USMJ |
| 6)  | 373 Buchanan Ave., Staten Island | 11/4/11 | USMJ |
| 7)  | 2 Steinway Ct, SUFFOLK, NY 11781 | 11/7/11 | vep USMJ |
| 8)  | 2 Steinway Ct., SUFFOLK, NY 11781 | 11/7/11 | vep USMJ |
| 9)  | | | USMJ |

Signed and Acknowledged
by all the above sureties
before me on 20 USMJ

The bond shall be secured by the interest of the surety in the following property or properties:

Premises located at: 32 Tamarack Rd., #22, Wappingers, N.Y.

Owned by: Elmetech Heikowitz

Premises located at: 373 Buchanan Ave., Staten Island, N.Y.

Owned by: Jacob and Helene Braun

Premises located at: _____

Owned by: _____

Docket No. 10 CR 433 (SLT)

PAGE 3 OF 4

ORDER SETTING CONDITIONS OF RELEASE AND BOND

Defendant: Jonathan Braun

Amount of Bond: \$ 8,000,000

Each of the following additional surety or sureties acknowledges and agrees to pay the bond on the first page of this Order Setting Conditions of Release and Bond and, to the extent indicated below, to securing the bond with his/her/their interest in the property or properties described below:

| | Address | Date | Acknowledged Before |
|--------|--------------------------------------|---------|---------------------|
| 10 (W) | 1865 53rd Brooklyn, NY 11209 | 11/7/11 | USMJ |
| 11 (W) | 5419-15th Ave Brooklyn, NY 11219 | 11/7/11 | USMJ |
| 12 (W) | 1250-52 ST Brooklyn, NY | 11/7/11 | USMJ |
| 13) | 909 PLAINVIEW AVE FAR ROCKAWAY, NY | 11/8/11 | USMJ |
| 14) | 118 Middleton St. Brooklyn, NY 11206 | | USMJ |
| 15 (W) | 1845 52 St #9 Brooklyn, NY 11209 | 11/7/11 | USMJ |

Signed and Acknowledged
by all the above sureties
before me on _____, 20_____, USMJ.

The bond shall be secured by the interest of the surety in the following property or properties:

Premises located at: 253 Rosemond Rd., Woodridge, N.Y.

Owned by: Joseph Streicher

Premises located at: 239 Prospect Place, Brooklyn, N.Y.

Owned by: Joseph Streicher

Premises located at: 5419 15th Ave., Brooklyn, N.Y.

Owned by: Leah Felsenburg

Docket No. 10 CR 433 (SCT)

PAGE 4 OF 4

ORDER SETTING CONDITIONS OF RELEASE AND BOND

Defendant: Jonathan Braun

Amount of Bond: \$ 8,000,000

Each of the following additional surety or sureties acknowledges and agrees to pay the bond on the first page of this Order Setting Conditions of Release and Bond and, to the extent indicated below, to securing the bond with his/her/their interest in the property or properties described below:

| | Address | Date | Acknowledged Before |
|-----|--|------|---------------------|
| 16) | Surety: <u>Scott Silberberg</u> | | USMJ |
| 17) | Surety: <u>Rafael Streicher</u> 118 4857 BROOKLYN 11/7/11 <u>wp</u> USMJ | | |
| 18) | Surety: <u>David Jacobowitz</u> 12385957 BROOKLYN 11/7/11 <u>wp</u> USMJ | | |
| 19) | Surety: <u>David Chait</u> 965 EAST 27 ST. B'KLYN NY 11210 <u>wp</u> USMJ | | |
| | Surety: <u>Isaac Braun</u> | | |
| 20) | Surety: <u>Esther Weisz</u> 58 Joseph Ave 11/7/11 <u>wp</u> USMJ | | |
| | Surety: <u>Steven Schwartz</u> 29 walcott Apts. S.E. N.Y. 10314 11/7/11 <u>wp</u> USMJ | | |
| | Surety: _____ | | USMJ |

Signed and Acknowledged
by all the above sureties
before me on _____, 20_____, USMJ.

The bond shall be secured by the interest of the surety in the following property or properties:

Premises located at : _____

Owned by : _____

Premises located at : _____

Owned by : _____

Premises located at : _____

Owned by : _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Case No. 10 Cr 433

V.

ORDER

JONATHAN BRAUN

Defendant

x

1. Whereas, the defendant Jonathan Braun is charged in an Indictment numbered 10 Cr. 433 which is currently pending before this Court with a violation of Title 21 USC 952(a), 960 (a)(1) and related counts and;
2. Whereas, on or about Nov. 10, 2011 defendant was released from custody pursuant to an Order Setting Conditions of Release and Bond [“The Bond”] dated Nov. 10, 2011 which was issued by Magistrate Judge Victor Pohorelsky and approved by this Court, and
3. Whereas, the bond amount is Eight Million (\$8,000,000) Dollars and said amount being secured by various properties against which liens have been filed in order to secure said properties to the benefit of the United States of America, and
4. Whereas, one of those properties is located at 239 Prospect Place Brooklyn, New York, 11238 and is owned by Joseph Streicher who is also a co-signer [No. 10] on the Bond and,
5. Whereas, Joseph Streicher wishes to withdraw said property as security for the Bond and,

6. Whereas, Joseph Streicher wishes to substitute an additional property which is located at 1865 53rd Street Brooklyn, New York 11204 which is his residence as security for the bond and,
7. Whereas, said property presently has an equitable value of approximately One Million Five Hundred Thousand [\$1,500,000] Dollars and
8. Whereas Joseph Streicher has executed a Confession of Judgment in an amount of Eight Million [\$8,000,000] Dollars running in favor of the United States of America as against said property which judgment becoming operable when and if defendant shall fail to appear before the Court for any required appearance and,
9. Whereas, said Confession of Judgment has been filed in the Office of the County Clerk, Brooklyn, New York and,
10. Whereas the Office of the United States Attorney for the Eastern District of New York has agreed to the substitution of properties as described herein it is hereby,
11. ORDERED that the property located at 239 Prospect Place Brooklyn, New York 11204 be released as security for the Bond and that all liens whether in the form of a confession of judgment or mortgage or otherwise and which are presently lodged against said property and running in favor of the United States be and hereby are deemed as satisfied such that no lien running in favor of the United States shall remain as against said property, and it is further.
12. ORDERED that the property located at 1865 53rd Street Brooklyn, New York, 11204 be substituted as security for the Bond.

DATED' AUGUST 2012

Hon. Sandra L. Townes U.S.D.J.